

103^D CONGRESS
1ST SESSION

H. R. 1368

To establish the Congressional Office of Inspector General.

IN THE HOUSE OF REPRESENTATIVES

MARCH 16, 1993

Mr. RIDGE introduced the following bill; which was referred jointly to the
Committees on House Administration and Rules

A BILL

To establish the Congressional Office of Inspector General.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. CONGRESSIONAL OFFICE OF INSPECTOR GEN-**
4 **ERAL.**

5 There is created an establishment of the Government
6 to be known as the Congressional Office of Inspector Gen-
7 eral, which shall be independent of the executive depart-
8 ments and under the control and direction of the Speaker
9 and minority leader of the House of Representatives.

1 **SEC. 2. PURPOSE AND ESTABLISHMENT OF OFFICE OF IN-**
2 **SPECTOR GENERAL.**

3 The purpose of this Act is to create independent and
4 objective units—

5 (1) to conduct and supervise audits and inves-
6 tigations relating to the office procedures and oper-
7 ations of each Member or committee of the House
8 of Representatives and any other office of the House
9 of Representatives whose employees are paid by the
10 Clerk;

11 (2) to provide leadership and coordination and
12 recommend policies for activities designed (A) to
13 promote economy, efficiency, and effectiveness in the
14 administration of, and (B) to prevent and detect
15 fraud and abuse in, such office procedures and oper-
16 ations; and

17 (3) to provide a means for keeping each Mem-
18 ber of Congress and the Congress fully and currently
19 informed about problems and deficiencies relating to
20 the administration of such office procedures and op-
21 erations and the necessity for and progress of cor-
22 rective action.

1 **SEC. 3. APPOINTMENT OF INSPECTOR GENERAL; SUPER-**
2 **VISION; REMOVAL; APPOINTMENT OF ASSIST-**
3 **ANT INSPECTOR GENERAL FOR AUDITING**
4 **AND ASSISTANT INSPECTOR GENERAL FOR**
5 **INVESTIGATIONS.**

6 (a) APPOINTMENT.—There shall be at the head of the
7 Office an Inspector General who shall be appointed by the
8 Speaker of the House of Representatives and the minority
9 leader of the House of Representatives, without regard to
10 political affiliation and solely on the basis of integrity and
11 demonstrated ability in accounting, auditing, financial
12 analysis, law, management analysis, public administration,
13 or investigations. Except as hereinafter provided in this
14 section, the Inspector General shall hold office for 7 years.
15 The Inspector General shall not be eligible for reappoint-
16 ment.

17 (b) SUPERVISION.—The Inspector General shall re-
18 port to and be under the general supervision of the Speak-
19 er and the minority leader of the House of Representa-
20 tives. The Speaker of the House shall not prevent or pro-
21 hibit the Inspector General from initiating, carrying out,
22 or completing any audit or investigation.

23 (c) REMOVAL.—The Inspector General may be re-
24 moved from office by the Speaker and the minority leader
25 of the House only for cause.

1 (d) ASSISTANTS.—Each Inspector General shall in
2 accordance with applicable laws and regulations governing
3 employees of the House of Representatives—

4 (1) appoint an Assistant Inspector General for
5 Auditing who shall have the responsibility for super-
6 vising the performance of auditing activities relating
7 to office procedures and operations of each Member
8 or committee of the House of Representatives and
9 any other office of the House of Representatives
10 whose employees are paid by the Clerk; and

11 (2) appoint an Assistant Inspector General for
12 Investigations who shall have the responsibility for
13 supervising the performance of investigative activi-
14 ties relating to such office procedures and oper-
15 ations.

16 **SEC. 4. DUTIES AND RESPONSIBILITIES.**

17 (a) IN GENERAL.—It shall be the duty and respon-
18 sibility of the Inspector General, with respect to the House
19 of Representatives—

20 (1) to provide for policy direction for and to
21 conduct, supervise, and coordinate audits and inves-
22 tigations relating to the office procedures and oper-
23 ations of each Member or committee of the House
24 of Representatives and any other office of the House

1 of Representatives whose employees are paid by the
2 Clerk;

3 (2) to review existing and proposed rules of the
4 House of Representatives and regulations relating to
5 office procedures and operations of each Member or
6 committee of the House of Representatives and any
7 other office of the House of Representatives whose
8 employees are paid by the Clerk and to make rec-
9 ommendations in the annual reports required con-
10 cerning the impact of such rules or regulations on
11 the economy and efficiency in the administration of
12 office procedures and operations administered or fi-
13 nanced by each Congressional office of the preven-
14 tion and detection of fraud and abuse in such office
15 procedures and operations;

16 (3) to recommend policies for, and to conduct,
17 supervise, or coordinate other activities carried out
18 or financed by each Member or committee of the
19 House of Representatives and any other office of the
20 House of Representatives whose employees are paid
21 by the Clerk for the purpose of promoting economy
22 or efficiency in the administration of, or preventing
23 and detecting fraud and abuse in, office procedures
24 and operations; and

1 (4) to keep the Congress fully and currently in-
2 formed by means of the reports required and other-
3 wise, concerning fraud and other serious problems,
4 abuses, and deficiencies relating to the administra-
5 tion of office procedures and operations, and to
6 report on the progress made in implementing such
7 corrective action.

8 (b) AUDIT STANDARDS.—In carrying out the respon-
9 sibilities each Inspector General shall comply with estab-
10 lished standards for audits of Federal establishments, or-
11 ganizations, programs, activities, and functions.

12 (c) REPORTS OF RULES VIOLATIONS.—In carrying
13 out the duties and responsibilities established each Inspec-
14 tor General shall report expeditiously to the chairman and
15 the ranking minority party member of the Committee on
16 Standards and Official Conduct whenever the Inspector
17 General has reasonable grounds to believe there has been
18 a violation of the Rules of the House of Representatives.

19 **SEC. 5. ANNUAL REPORTS.**

20 (a) IN GENERAL.—Each Inspector General shall, not
21 later than October 31 of each year, prepare annual reports
22 summarizing the activities of the Office during the imme-
23 diately proceeding 12 month period ending September 30.
24 Such report shall include, but need not be limited to—

1 (1) a description of significant problems,
2 abuses, and deficiencies relating to the administra-
3 tion of office procedures and operations of each
4 Member and committee of the House of Representa-
5 tives and any other office of the House of Represent-
6 atives whose employees are paid by the Clerk dis-
7 closed by such activities during the reporting period;

8 (2) a description of the recommendations for
9 corrective action made by the Office during the re-
10 porting period with respect to significant problems,
11 abuses, or deficiencies identified pursuant to para-
12 graph (1);

13 (3) an identification of each significant rec-
14 ommendation described in previous annual reports
15 on which corrective action has not been completed;

16 (4) a summary of matters referred to the Com-
17 mittee on Standards of Official Conduct and the ac-
18 tions which have resulted;

19 (5) a summary of each report made to the
20 Speaker and minority leader of the House of Rep-
21 resentatives under section 6(b) during the reporting
22 period;

23 (6) a listing, subdivided according to subject
24 matter, of each audit report issued by the office dur-
25 ing the reporting period and for each audit report,

1 where applicable the total dollar value of questioned
2 costs (including a separate category for the dollar
3 value of unsupported costs) and the dollar value of
4 recommendations that funds be put to better use;

5 (7) a summary of each particularly significant
6 report;

7 (8) statistical tables showing the total number
8 of audit reports and the total dollar value of ques-
9 tioned costs (including a separate category for the
10 dollar value of unsupported costs), for audit re-
11 ports—

12 (A) for which no management decision has
13 been made by the commencement of the report-
14 ing period;

15 (B) which were issued during the reporting
16 period; and

17 (C) for which a management decision was
18 made during the reporting period, including—

19 (i) the dollar value of disallowed costs;

20 and

21 (ii) the dollar value of costs not dis-
22 allowed; and

23 (D) for which no management decision has
24 been made by the end of the reporting period;

1 (9) statistical tables showing the total number
2 of audit reports and the dollar value of recommenda-
3 tions that funds be put to better use by manage-
4 ment, for audit reports—

5 (A) for which no management decision had
6 been made by the commencement of the report-
7 ing period;

8 (B) which were issued during the reporting
9 period; and

10 (C) for which a management decision was
11 made during the reporting period including—

12 (i) the dollar value of recommenda-
13 tions that were not agreed to by manage-
14 ment; and

15 (ii) the dollar value of recommenda-
16 tions that were not agreed to by manage-
17 ment; and

18 (D) for which no management decision has
19 been made by the end of the reporting period.

20 (10) a summary of each audit report issued be-
21 fore the commencement of the reporting period for
22 which no management decision has been made by
23 the end of the reporting period (including the date
24 and title of each such report), an explanation of the
25 reasons such management decision has not been

1 made, and a statement concerning the desired time-
2 table for achieving a management decision on each
3 such report; and

4 (11) information concerning any significant
5 management decision with which the Inspector Gen-
6 eral is in disagreement.

7 (b) FURNISHING OF ANNUAL REPORT.—The annual
8 report of the Inspector General shall be furnished to the
9 Speaker and minority leader of the House of Representa-
10 tives not later than October 31 of each year.

11 (c) REPORT OF SERIOUS PROBLEMS.—The Inspector
12 General shall report immediately to the Speaker and mi-
13 nority leader of the House of Representatives whenever
14 the Inspector General becomes aware of particularly seri-
15 ous or flagrant problems, abuses, or deficiencies relating
16 to the administration of office procedures and operations
17 of any Member or committee of the House of Representa-
18 tives and any other office of the House of Representatives
19 whose employees are paid by the Clerk.

20 (d) DEFINITIONS.—As used in this section—

21 (1) the term “questioned cost” means a cost
22 that is questioned by the Office because of—

23 (A) an alleged violation of the Rules of the
24 House of Representatives;

1 (B) a finding that, at the time of the
2 audit, such cost is not supported by adequate
3 documentation; or

4 (C) a finding that the expenditure of funds
5 for the intended purpose is unnecessary or un-
6 reasonable;

7 (2) the term “unsupported costs” means a cost
8 that is questioned by the Office because the Office
9 found that at the time of the audit, such cost is not
10 supported by adequate documentation;

11 (3) the term “disallowed cost” means a ques-
12 tioned cost that management, in a management deci-
13 sion, has sustained or agreed should not be charged
14 to the House of Representatives;

15 (4) the term “recommendation that funds be
16 put to better use” means a recommendation by the
17 Office that funds could be used more efficiently if
18 management of a Member’s office or House commit-
19 tee or other office took action to implement and
20 complete the recommendation including—

21 (A) reductions in outlays; and

22 (B) any other savings which are specifi-
23 cally identified;

24 (5) the term “management decision” means the
25 evaluation by the management of a Member’s office

1 or House committee or other office of the findings
2 and recommendations included in an audit report
3 and the issuance of a final decision by management
4 concerning its response to such findings and rec-
5 ommendations, including actions concluded to be
6 necessary; and

7 (6) the term “final action” means—

8 (A) the completion of all actions that the
9 management of a Member’s office or House
10 committee or other office has concluded in its
11 management decision, are necessary with re-
12 spect to the findings and recommendations in-
13 cluded in the audit report; and

14 (B) in the event that the management of
15 a Member’s office or House committee or other
16 office concludes no action is necessary, final ac-
17 tion occurs when a management decision has
18 been made.

19 **SEC. 6. AUTHORITY OF INSPECTOR GENERAL.**

20 (a) IN GENERAL.—In addition to the authority other-
21 wise provided by this Act, the Inspector General in carry-
22 ing out the provisions of this Act, is authorized—

23 (1) to have access to all records, reports, audits,
24 reviews, documents, papers, recommendations, or
25 other material available to the applicable Member’s

1 office or House committee or other office which re-
2 lates to office procedures and operations with re-
3 spect to which the Inspector General has responsibil-
4 ities under this Act;

5 (2) to make such investigations and reports re-
6 lating to the administration of the office procedures
7 and operations of the applicable Member's office or
8 House committee or other office as are, in the judg-
9 ment of the Inspector General, necessary or desir-
10 able;

11 (3) to administer to or take from any person an
12 oath, affirmation, or affidavit, whenever necessary in
13 the performance of the functions assigned by this
14 Act, employee of an Office of an Inspector General
15 designated by the Inspector General shall have the
16 same force and effect as if administered or taken by
17 or before an officer having a seal; and

18 (4) to have direct and prompt access to a Mem-
19 ber or chairman of a House committee or head of
20 any other office within the House of Representatives
21 when necessary for any purpose pertaining to the
22 performance of functions and responsibilities under
23 this Act.

24 (b) REPORT OF REFUSAL.—Whenever information or
25 assistance requested under subsection (a)(1) is, in the

1 judgment of an Inspector General, unreasonably refused
2 or not provided, the Inspector General shall report the cir-
3 cumstance to the Speaker and minority leader of the
4 House of Representatives without delay.

5 **SEC. 7. COMPLAINTS BY EMPLOYEES; DISCLOSURE OF**
6 **IDENTITY; REPRISALS.**

7 (a) COMPLAINTS.—The Inspector General may re-
8 ceive and investigate complaints or information from an
9 employee of the House of Representatives concerning the
10 possible existence of an activity constituting a violation of
11 law, Rules of the House of Representatives, or mis-
12 management, gross waste of funds, abuse of authority or
13 a substantial and specific danger to the public health and
14 safety.

15 (b) DISCLOSURE OF IDENTITY.—The Inspector Gen-
16 eral shall not, after a receipt of a complaint or information
17 from an employee, disclose the identity of the employee
18 without the consent of the employee, unless the Inspector
19 General determines such disclosure is unavoidable during
20 the course of the investigation.

21 (c) REPRISALS.—Any employee who has authority to
22 take, direct others to take, recommend or approve any per-
23 sonnel action, shall not, with respect to such authority,
24 take or threaten to take any action against any employee
25 as reprisal for making a complaint or disclosing informa-

1 tion to an Inspector General, unless the complaint was
2 made or the information disclosed with the knowledge that
3 it was false or with willful disregard for its truth or falsity.

4 **SEC. 8. REPEALER.**

5 Clause 2 of rule VI of the Rules of the House of Rep-
6 resentatives is repealed.

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